ARGUMENTS

The Examiner states that the inventions of Groups I and II are possibly related as process of making and product made under M.P.E.P. § 806.05(f) and that the product as claimed can be made by another and materially different process, such as the carbonization and activation of pitch.

The claims of both Groups I and II are directed to an activated carbon for electric double layer capacitors produced by carbonization of coconut shell in the case of Group I and in the case of Group II to a method of making an activated carbon in which one of the steps is carbonizing coconut shell, thereby producing a carbonization product. Therefore, it is clear that the product of Group I would not be arrived at by the carbonization and activation of pitch, since pitch is a material totally different from coconut shell.

Further, if the claims of Group I are ultimately found allowable, it is requested that the method claims of Group II be rejoined under M.P.E.P. § 821.04 and allowed, also.

Finally, Applicants traverse the restriction requirement on the grounds that the Patent and Trademark Office has not shown that a burden exists in searching all of the claims. Applicants respectfully point out that thousands of U.S. patents have issued in which many more than two sub-classes have been searched, and the Patent and Trademark Office cannot reasonably assert that a burden exists in searching only two sub-classes.

Accordingly, for the reasons presented above, Applicants submit that the Patent and Trademark Office has failed to meet the requirements necessary to sustain the restriction requirement and withdrawal of the restriction requirement is respectfully requested.

Respectfully submitted,

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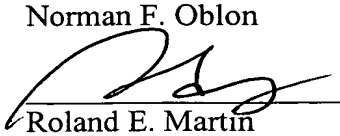

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